

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Bobby Tate Bowman,

Plaintiff,

v.

Civil No. 10-1946 (JNE/SER)
ORDER

Wyeth, LLC; Wyeth Pharmaceuticals, Inc.;
and Teva Pharmaceuticals USA, Inc.,

Defendants.

On February 24, 2011, the Court stayed this action pending resolution by the United States Supreme Court of the appeals from the judgments in *Mensing v. Wyeth, Inc.*, 588 F.3d 603 (8th Cir. 2009), and *Demahy v. Actavis, Inc.*, 593 F.3d 428 (5th Cir. 2010). On June 23, 2011, the Supreme Court reversed the Fifth and Eighth Circuits, and remanded the cases for further proceedings. *PLIVA, Inc. v. Mensing*, 131 S. Ct. 2567 (2011). Last week, the Supreme Court denied a petition for rehearing. Accordingly, the Court lifts the stay.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. The stay is LIFTED.
2. Wyeth, LLC's and Wyeth Pharmaceutical, Inc.'s motion to lift stay for a limited purpose [Docket No. 28] is DENIED AS MOOT.

Dated: August 23, 2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge